

<b>2      <u>Assistance and Services</u></b>	
CFR 45 Part 400.5 (b)	
CFR 45 Part 43 (a)	<p><b>2.1      Documentation of Refugee Status</b></p> <p>Applicants for refugee assistance under Title IV of the Immigration and Nationality Act provide proof of their refugee status to the resettlement agency providing the assistance as a condition of their eligibility for those services. The refugee statuses served through this Virginia program include those immigration statuses allowed under § 400.43 (a).</p>
	<p><b>2.2      Service Provision Continuum</b></p> <p>Successful resettlement requires the involvement of many organizations and individuals. The Virginia resettlement model focuses on durable self-sufficiency while recognizing that service delivery addresses a continuum of changing refugee service needs. Integration into the new community requires a focus, from the time of initial arrival, on employment and improved English language skills. As refugees assimilate into new communities, their service needs change. The resettlement providers are the link between refugees' changing service needs and the service community.</p>
<i>Attachment 2A</i>	<p><b>2.2.1   Virginia's Refugee Resettlement Goal</b></p> <p>Virginia's primary goals for its newly arriving refugees are durable economic self-sufficiency and social integration into Virginia's communities.</p>
<i>Attachment 2B.</i>	<p><b>2.2.2   Virginia's Model for Refugee Resettlement</b></p> <p>Virginia's strategies for meeting these program goals are set out in its refugee resettlement model. Shaped by experience, this successful resettlement model is a source of pride for administrative and casework staff.</p>
	<p><b>2.2.3   Safeguarding and Sharing of Information</b></p> <p>Except for purposes directly connected with the provision of services, the Department of Social Services and the resettlement providers do not share or disclose information about the refugee without the client's permission. [§ 400.27 (a) &amp; (b)]</p>

	<b>2.3 Refugee Resettlement Case Management</b>
	<p><b>2.3.1 Case Manager</b></p> <p>A case manager is assigned to each refugee family or individual refugee resettled in Virginia. Case managers guide refugees through the process of assimilating into their new community. The tool used to guide this process is a comprehensive resettlement plan, or CRP.</p>
	<p><b>2.3.2 Comprehensive Resettlement Plan</b></p> <p>The case manager and the refugee jointly develop the CRP. It defines both the strategies needed to meet the goal of self-sufficiency and the benchmarks that will measure progress toward self-sufficiency. Each plan has different strategies because each refugee arrives with different work skills, coping skills, education, English fluency, and family support systems. Service provision reflects these differences.</p>
	<p><b>2.3.3 Comprehensive Resettlement Plan Monitoring</b></p> <p>The case manager monitors activities related to the fulfillment of the CRP. If the refugee has not achieved self-sufficiency after 12 months, a new resettlement plan is developed. The case manager and refugee identify specialized, intensive services that may ensure economic independence and family stability as early as possible.</p>
	<p><b>2.3.4 Avoiding Reliance on Public Assistance</b></p> <p>The case manager balances meeting the unique and intensive service needs of a refugee with avoiding action that may lead to the refugee's reliance on and need for public assistance.</p>
	<p><b>2.3.5 Case Delivery Documentation</b></p> <p>The case manager maintains refugee case files and documents services and assistance provided both in the case file and in the Virginia Information Newcomer System (VNIS). [See Section 7, Record Keeping, Documentation, and Reporting]</p>
CFR 45 Part 400.147 & Part 400.314	<p><b>2.4 Prioritization of Service Delivery</b></p> <p>Refugee service needs are varied and extensive, but the funds available for needed social services are not exhaustive. To make wise use of available social service funds, Virginia prioritizes the delivery of social services according to the following guidelines:</p>

	<p><b>2.4.1 Priority One</b></p> <p>The first priority is newly arriving refugees during the first year in the United States, who apply for services.</p>
	<p><b>2.4.2 Priority Two</b></p> <p>The second priority is refugees who are receiving cash assistance.</p>
	<p><b>2.4.3 Priority Three</b></p> <p>The third priority is unemployed refugees who are not receiving cash assistance.</p>
	<p><b>2.4.4 Priority Four</b></p> <p>The fourth priority is employed refugees in need of services to retain employment or attain economic independence. This includes services that may assist the refugee in job promotions or moving to a job that better matches his or her skills and interests. When necessary, case managers maintain contact and provide needed services for a maximum of 60 months from the date of entry into the United States.</p>
State Letter 00-18	<p><b>2.5 Limited English Proficiency</b></p> <p>Refugees, like all other Virginia residents, have the right to benefits and services to which they are entitled and the right to access those services.</p>
Attachment 2C	<p><b>2.5.1 Resettlement Provider Requirements</b></p> <p>Resettlement providers are required to have bi-lingual staff, language-specific materials, and other means of ensuring that refugees with limited English proficiency (LEP) have access to the benefits and services available from local departments of social services, health, motor vehicles, aging, etc. Evaluation of this requirement is part of each contractor's yearly performance review. The performance review includes an examination of the native languages of refugees served by the resettlement providers, the staffing patterns of the resettlement providers, and the utilization of language resources available in the community.</p> <p>Additionally, ORR State Letter number SL00-8, <i>Policy Guidance on the Title VI Prohibition Against National Origin Discrimination As it Relates to Persons With Limited English</i>, was made a part of the ONS's contract with resettlement providers.</p>

	<p><b>2.5.2 Refugee Health Screening Interpreter Requirements</b></p> <p>The Virginia Department of Health references the requirements of Title VI of the Civil Rights Act 1964 in its Refugee and Immigrant Health Program Manual and lists resources local health department staff can use to ensure appropriate interpreter services for refugees receiving medical screenings.</p>
<i>Attachment 2D</i>	<p><b>2.5.3 Local Departments of Social Services Requirements</b></p> <p>The Virginia Department of Social Services (VDSS) policy on “Non-Discrimination on the Basis of National Origin: Individuals with Limited English Proficiency (LEP)” provides guidance to local departments of social services to take adequate steps to ensure LEP individuals receive the language assistance necessary to allow them meaningful access to all VDSS programs and services.</p>
	<p><b>2.5.4 ONS LEP Training</b></p> <p>LEP is an integral part of all formal and informal training offered by ONS. It is also included in meetings held for ONS partner agencies and for resettlement providers.</p>
	<p><b>2.6 Refugee Resettlement Services</b></p>
	<p><b>2.6.1 Durable Self-Sufficiency</b></p> <p>Resettlement providers direct all resources and funding toward the goal of durable self-sufficiency. For the first several months, services are intense and constant. Afterwards, services continue as needed, but are not as concentrated.</p>
	<p><b>2.6.1.a</b> The time limits on service delivery follow the limitations and exceptions setout in federal regulations.</p>
	<p><b>2.6.1.b</b> No residency requirement is imposed as a condition of participation in the Refugee Resettlement Program.</p>
CFR 45 Parts 400.5 (c)	<p><b>2.6.2 Language Services</b></p>
	<p><b>2.6.2.a Access to Services</b> Resettlement providers arrange translation and interpreter services for all refugees with limited English proficiency regardless of whether they receive cash assistance of any kind. Case managers act as advocates in facilitating access to services.</p>

	<p>2.6.2.b <i>Flexibility in Service Delivery</i> Resettlement providers arrange English instruction using varied approaches depending on the need of the refugee. Case managers arrange instruction at times and places convenient to refugees and in conjunction with employment services.</p>
	<p>2.6.2.c <i>Language Service Options</i> Case managers utilize established adult education programs, computer assisted English, on-site neighborhood training, one-on-one tutors, work site training, formal class language training, and volunteer one-on-one mentors.</p>
	<p>2.6.2.d <i>Translation and Interpreter Services</i> Case managers arrange translation and interpreter services as needed for effective communication between limited-English speaking refugees and health and other social service providers.</p>
	<p>2.6.2e <i>Progression in English Language Fluency</i> Case managers confer with their agency's English as a Second Language (ESL) staff to monitor the refugee's progress</p>
CFR 45 Parts 400.5 (c)	2.6.3 Employment Services
	<p>2.6.3.a <i>Level One</i> The first level of support is arranging training on job search and job retention techniques; orientation to the workplace environment and employer expectations; and job placement assistance and job referrals.</p>
	<p>2.6.3.b <i>Level Two</i> The second level of support is arranging vocational and skills training to assist the refugee with job advancement.</p>
	<p>2.6.3.c <i>Level Three</i> The third level of support is for refugees who arrive with a specific job skill that requires certification or further training in the United States. Case managers assist the refugee in obtaining the necessary certification or training to obtain a job in his or her field of expertise.</p>
	<p>2.6.3.d <i>Level Four</i> After employment, case managers assist the refugee in retaining employment, which includes job upgrades and promotions. This involves contact with the refugee and employer on job progress and actively addressing any personal or work issues that have arisen.</p>

	<p><b>2.6.4 Transportation</b></p> <p>The case manager arranges transportation for employment related activities. The delivery of this service is subject to available resources and funding.</p>
	<p><b>2.6.5 Day Care for Children</b></p> <p>The case manager identifies child day care needed to allow adult refugees to participate in employment-related activities and works with the refugee on strategies to meet this need.</p>
	<p><b>2.6.6 Social Adjustment Services</b></p> <p>The case manager arranges assessment and short-term counseling, health-related services, home management services, routine budget maintenance, and other guidance.</p>
CFR 45 Parts 400.5 (c)	<p><b>2.7 Public Assistance (Cash) and Social Services</b></p> <p>Virginia has 120 local departments of social services (LDSS) that administer an array of cash assistance and service programs throughout the Commonwealth. LDSS staffs determine eligibility for cash and medical assistance, based on the federal and state law and regulations that apply to each of the program areas. Refugees are eligible for these services according to the same eligibility determinants as all other applicants.</p>
	<p><b>2.7.1 Temporary Assistance for Needy Families (TANF)</b></p> <p>This state and federal program provides cash assistance to persons responsible for children deprived of parental support due to the parent's death, absence, incapacity, or unemployment.</p>
	<p><b>2.7.1.a</b> Virginia's TANF work component is called <i>Virginia Initiative for Employment not Welfare (VIEW)</i>. Noncompliance with VIEW work requirements results in a loss of TANF benefits. Refugees are subject to the VIEW work requirement and loss of benefits according to the same determinants as all other TANF recipients.</p>
<i>Attachment 2E</i>	<p><b>2.7.1.b</b> Under Virginia's TANF policy, employment services provided by resettlement providers may meet the refugee VIEW work requirement.</p>

	<p><b>2.7.2 Food Stamps</b></p> <p>This federal program supplements the food budgets of low-income households. Under food stamp policy, a refugee's participation at least half time in employment services provided by resettlement providers meets the Food Stamp Program work requirements.</p>
	<p><b>2.7.3 Emergency Assistance to Needy Families With Children</b></p> <p>This state and federal program provides financial assistance with food, shelter, and clothing to children during an emergency such as a natural disaster or fire.</p>
	<p><b>2.7.4 Auxiliary Grants Program</b></p> <p>This state and local program provides cash assistance to certain needy aged, blind, or disabled persons in residential institutions whose income is insufficient to cover the cost of their care, including individuals whose income makes them ineligible for Supplemental Security Income.</p>
	<p><b>2.7.5 Energy Assistance Program</b></p> <p>This federal program assists low-income households with the rising cost of home heating and repair of faulty or hazardous heating systems.</p>
	<p><b>2.7.6 State-Local Hospitalization Program</b></p> <p>This state program provides hospitalization and treatment for <u>medically</u> indigent Virginia residents and some migrant workers.</p>
	<p><b>2.7.7 Neighbor-to-Neighbor Program</b></p> <p>This program pays the electric bills of needy residential customers in 33 local jurisdictions who get cutoff notices during the period November through March. The program is funded through contributions from customers of the American Electric Power Company and matched by the company.</p>
	<p><b>2.7.8 Individual and Family Grants Program</b></p> <p>This state and federal program provides grants to assist disaster victims in paying for expenses resulting from declared emergency.</p>

	<p><b>2.7.9 Refugee Cash Assistance and Refugee Medical Assistance</b></p> <p>Each of these programs is covered in separate sections of this State Plan. Refugee Cash Assistance is covered in Section 3 and Refugee Medical Assistance is covered in Section 5.</p>
CFR 45 Part 400.310–319	<p><b>2.8 Targeted Assistance Program</b></p>
	<p><b>2.8.1 Geographical Areas Served</b></p> <p>Virginia receives an annual federal allocation for targeted assistance in areas most impacted by its refugee population. The federal Office of Refugee Resettlement designates the areas needing services. In Virginia, these geographic areas are the Cities of Richmond and Alexandria and the Counties of Arlington and Fairfax. The funds are provided through the Targeted Assistance Program (TAP).</p>
	<p><b>2.8.2 Use of Funding</b></p> <p>The contractual agreement between Office of Newcomer Services and the resettlement contractors in the designated areas specifies that TAP funds are to supplement, and not replace, other funding. The contractors use the funds to direct intensive services to refugees in the targeted areas.</p>
	<p><b>2.9 Discretionary Grants</b></p> <p>To augment the funding available for Virginia’s refugee population, the Office of Newcomer Services aggressively pursues discretionary grant funding from the Office of Refugee Resettlement and other funding sources.</p>
	<p><b>2.9.1 Refugee Elderly Assistance Project (REAP)</b></p> <p>Project funds increase elderly refugees’ (60+) access to community-based, linguistically and culturally appropriate services through collaboration between local resettlement providers and local Area Agencies on Aging (AAA’s).</p>



## ATTACHMENT 2 A

### Virginia's Refugee Resettlement Goal

**Program Goal** - The Virginia Refugee Resettlement Program (VRRP) strives to support and foster the earliest possible durable economic self-sufficiency and social self-reliance for newly arriving refugee individuals and families residing in the Commonwealth. It acknowledges the unique strengths, abilities, and contributions that an individual refugee brings to the state. The program's design includes many partners who work together toward this common end by providing resources and tools to the refugee in a sensitive and compassionate way.

*Source:* Virginia Refugee Resettlement Program Manual, page 6

## ATTACHMENT 2 B

### Virginia's Model for Refugee Resettlement

Virginia's model of refugee resettlement originates from the purpose of the refugee resettlement program at the federal level, namely, promoting effective resettlement through attaining self-sufficiency at the earliest time possible. The model is a cohesive and comprehensive plan for resettlement based on the knowledge of what works throughout Virginia. The Office of Newcomer Services, in consultation with state level staff and representatives from private resettlement agencies and ethnic organizations, developed the comprehensive plan. The model's origins come from the combined experience and expertise of refugee resettlement agencies across the Commonwealth. The model is based on the following principles:

- Long-term public assistance utilization is not an acceptable way of life in America and is therefore not a resettlement option.
- A refugee's early employment promotes his or her earliest economic self-sufficiency.
- Refugee resettlement involves many services that must be provided concurrently, progressively, and successively, but always in such a way that they constitute a continuum of services beginning with the voluntary agency (VOLAG) upon arrival in the U.S. and continuing through self-sufficiency leading to citizenship.
- Self-reliance and a sense of personal responsibility are integrated into a Comprehensive Resettlement Plan (CRP) for each refugee which ensures a central point of contact and which is family-based.
- Coalitions and linkages of service providers, *where functionally appropriate and feasible*, ensure strong public/private partnerships.
- Service providers must work in coordination with other agencies to maximize community resources and to create a seamless service delivery system.
- Services must be sensitive to cultural issues and implemented by staff that mirror the population served.
- Mutual assistance associations, which are incorporated refugee organizations that address the social service needs of a specific refugee population, and ethnic organizations bring unique strengths and cultural knowledge to the resettlement process.
- There must be barrier-free access to programs, activities, services, and entitlements that include language provision for all refugees.

ONS promotes a model based on the belief that refugees are best served by a community-based system of care that is comprehensive, coordinated, and responsive to the strengths and needs of refugees and their families. Subsequent to the reception and placement, ONS funded refugee service providers assess the needs of newly arrived refugees and refugee families and design refugee specific services that address these needs.

*Source:* ONS Program Contract, pages 17 – 18

## ATTACHMENT 2 C

### ONS Policy on Access for LEP Refugees

#### Requirements of Parties Working with Refugees in Virginia

a. *Interpretation & Translation* – All state agencies, community-based organizations, national voluntary agencies, mutual assistance associations, and any other entities receiving funding from the Office of Refugee Resettlement, directly or indirectly, must comply with the Title VI of the Civil Rights Act regarding persons of limited English proficiency (LEP). These health and human service agencies, as well as any other organizations that receive funding from the federal Department of Health and Human Services (DHHS), must ensure that LEP persons receive language assistance sufficient for meaningful access to any benefits and services for which they may be eligible. ONS encourages local departments of social services to follow policy guidance from the DHHS's Office of Civil Rights, which includes:

- 1) Having a procedure for identifying the language needs of patients/clients;
- 2) Having ready access to, and provide services of, proficient interpreters in a timely manner during hours of operation;
- 3) Developing written policies and procedures regarding interpreter services; and
- 4) Disseminating interpreter policies and procedures to staff and ensure staff awareness of these policies and procedures and of their Title VI obligations to LEP persons.

*Source:* Virginia Refugee Resettlement Program Manual, synopsis of pages 15, 19, 45, 51, & 53

## **ATTACHMENT 2 D**

### **VDSS Policy on Access for LEP Individuals**

*Non-Discrimination based on National Origin: Individuals With Limited English Proficiency (LEP)*

#### **Purpose**

The purpose of this policy is to ensure that limited-English-proficient individuals have meaningful access to program information and services in accordance with Title VI of the Civil Rights Act of 1964. All DSS agencies must take adequate steps to ensure that LEP individuals receive the language assistance necessary to allow them meaningful access to programs and services, free of charge.

#### **Definitions**

- A. *Limited-English-Proficient Individual* A limited-English-proficient (LEP) individual is a person whose primary language is not English and who cannot speak, read, write, or understand the English language at a level that permits him to interact effectively with social services agencies.
- B. *Meaningful Access* Meaningful access to programs and services is the standard of access to comply with Title VI's language access requirements. To ensure meaningful access for limited-English-proficient individuals, service providers must make available to applicant/recipients free language assistance that results in accurate and effective communication. Awareness of services provided and rights of service recipients are important parts of "meaningful access."

#### **Meaningful Access Policy**

- A. *Meaningful Access for LEP Individuals* No person will be denied access to program information because he or she does not speak or has limited proficiency in English. All staff, including contractors, will provide for effective communication between LEP individuals and staff by providing appropriate language assistance services when LEP individuals require these services. Staff will provide LEP individuals with meaningful access to programs and services in a timely manner and at no cost to the client.

Staff must ensure that the LEP individual is given adequate and accurate information, is able to understand the services and benefits available, and is able to receive those services and benefits for which s/he is eligible. In addition, staff must ensure that the LEP person can effectively communicate the relevant circumstances of their situation to staff.

Outreach should be conducted with appropriate community organizations to inform LEP individuals of important services and benefits available to them.

- B. *Affirmative Offer of Language Assistance* Staff will offer language assistance to clients who have difficulty communicating in English. Clients who request language assistance must be offered free interpretation or translation services in a language they understand; in a way that ensures meaningful access and preserves confidentiality; and in a timely manner. Whenever possible, staff are encouraged to follow a client's preferences.
- C. *Documentation and Sharing of Information* Each agency shall ensure that its case record documentation identifies the applicant or recipient's primary language. If one program area determines that an individual's limited English proficiency may affect his or her ability to meet program requirements, staff in that program area are to inform other staff who also may interact with the individual.
- D. *Competency of Interpreters* Interpreters must be competent. This means interpreters demonstrate proficiency in both English and the client's language. It means interpreters have knowledge of specialized terms or concepts; an understanding of confidentiality and impartiality; an understanding of the role of interpreter; the ability to act as an interpreter without acting as a counselor or legal advisor; and sensitivity to the client's culture. Interpreters shall disclose any real or perceived conflict of interest.
- E. *Translation of Written Materials* If the office regularly encounters certain languages other than English, then it is important to ensure that vital documents be translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be directly affected. In providing outreach to LEP persons, pamphlets advising them of program or service availability should be provided in appropriate languages.
- F. *Examples of Situations Where Meaningful Access Standard Is Not Satisfied*
  - 1. A local office uses a Vietnamese janitor to interpret whenever Vietnamese applicants or recipients seek services. The janitor has been in the U.S. for six months, does not speak English well, and is not familiar with the terminology that is used. He may relay inaccurate information that results in the denial of benefits to clients.
  - 2. A local office does not advise a mother of her right to free language assistance and encourages her to use her eleven-year-old daughter to interpret for her. The daughter may not understand the terminology being used and may relay inaccurate information to her mother whose benefits are jeopardized by the failure to obtain accurate information.
  - 3. A local office uses a college student as an interpreter based on

her self-identification as bilingual. While in college, the student spent a semester in Spain as an exchange student. The student speaks Spanish haltingly and must often ask LEP individuals to speak slowly and to repeat their statements.

## **Interpreter Resources**

As much as possible, staff should use interpreter services as follows:

- A. Bilingual staff and staff interpreters – Agencies should use their best efforts to assign clients with LEP to bilingual staff that speak their language and can provide competent interpretation services.
- A. Contract Interpretation Services –In order to provide interpretation services during business hours and for written document translation needs, contractual arrangements should be made for competent interpreters.
- B. Telephone Interpreter Services
- C. Community Volunteers – Community volunteers must be competent and must be knowledgeable of confidentiality and impartiality regulations. Formal agreements with community-based organizations are encouraged to ensure the caliber and availability of services.

## **Use Of Family Members, Friends, and Minor Children**

- A. Staff will not require, suggest, or encourage an LEP individual to use friends, children, or family members as interpreters. Family and friends usually are not competent to act as interpreters, since they are often insufficiently proficient in both languages, unskilled in interpretation, and unfamiliar with DSS terminology. Use of such persons could result in a breach of confidentiality or reluctance on the part of individuals to reveal personal information that is important for staff to know.
- B. After staff has informed the LEP individual of the right to free interpreter services and the person declines the services and requests the use of a family member or friend, then the staff may use this individual if he or she does not compromise the effectiveness of the services or violate the LEP individual's confidentiality. The LEP individual shall sign a waiver stating that he or she has declined an offer from the agency for an interpreter,. The agency should record the LEP service offer and the individual's decline in the case file. If an LEP individual elects to use a family member or friend, staff should suggest that a trained interpreter sit in on the encounter to ensure accurate interpretation.
- c. The agency may provide its own interpreter in addition to one selected by the person with LEP when the agency wants to ensure precise, complete, and accurate translations of testimony. This is might be done in the case of administrative hearings; adult or child protective services interviews; and interviews in which health, safety, or benefits are at stake.

*Source:* VDSS LEP Project Manager

## ATTACHMENT 2 E

### VDSS TANF Policy on VIEW Work Requirements for Refugees

#### **TANF Manual, Chapter 1000**

When there is a refugee resettlement agency in the locality available to work with refugees, all work requirements for refugees required to participate in VIEW should be coordinated with that agency (or designated service provider). The resettlement agency, while maintaining communication with the local agency, must take the lead in assisting the refugee in the pursuit of self-sufficiency. The local agency case record must contain a Comprehensive Resettlement Plan developed by the resettlement agency. Contracts between the Office of Newcomer Services and Refugee Resettlement Service Providers mandate these services.

*Source: The Temporary Assistance for Needy Families Policy Manual, Chapter 1000, The Virginia Initiative for Employment Not Welfare Program, Item 7. A. 1)*